

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEREK LEE HUNTINGTON,

Plaintiff,
v.

DAVID OATS,

Defendant.

ORDER

Case No. 23-cv-79-wmc

This case was severed from Plaintiff Derek Lee Huntington's case 22-cv-649-wmc, where plaintiff, a prisoner in the custody of the Wisconsin Department of Corrections, was granted leave to proceed *in forma pauperis*. Using information for the relevant time period from plaintiff's trust fund account statement in that case, I conclude plaintiff's initial partial filing fee to be \$5.80. For this case to proceed, plaintiff must submit this amount on or before February 24, 2023.

If plaintiff does not have enough money to make the initial partial payment from plaintiff's regular account, plaintiff should arrange with authorities to pay the remainder from plaintiff's release account.

ORDER

IT IS ORDERED that,

1. Plaintiff Derek Lee Huntington is assessed \$5.80 as an initial partial payment of the \$350.00 fee for filing this case. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$5.80 or advise the court in writing why plaintiff is not able to submit the assessed amount on or before February 24, 2023.

2. If, by February 24, 2023, plaintiff fails to make the initial partial payment or show cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff filing this case at a later date.

3. No further action will be taken in this case until the clerk's office receives plaintiff's initial partial filing fee as directed above and the court has screened the complaint as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 2nd day of February, 2023.

BY THE COURT:

/s/
STEPHEN L. CROCKER
Magistrate Judge